

TREASURY DOCUMENTATION**Subject**

Grievance and Appeals

For

EMPLOYEE HANDBOOK

Also SeePT-03057; Civil Service
Rules; and Form CS-100**Identification**ET-03138
Policy**Effective**

11-1-2003

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Replaces

ET-03138 (11-1-1998)

The grievance and appeals procedure for State employees is authorized by the Civil Service Commission under Civil Service Rules 8-1 and 8-2 and is a means of resolving employee grievances in an equitable and timely manner without fear of reprisal.

A grievance is defined as: a complaint of violation of personnel law, policy, rules, regulation, procedure, condition of employment, past practice, or agreement; or a dispute over its application and interpretation; or a claim of discipline without just cause.

Time is counted in terms of calendar days, excluding State employment holidays.

At **Department Step 1** of the grievance procedure, an employee with a grievable complaint must file a written grievance on form CS-100 GRIEVANCE FORM within 14 calendar days of becoming aware of the cause of the complaint. Form CS-100 is available on the Civil Service Web site at www.michigan.gov/mdcs/, MDCS Quick Link "MDCS Forms." The Department Step 1 Official must hold an oral conference **and** issue a written answer to the employee within 14 calendar days after the grievance is filed. The employee may have a fellow employee, or a representative of his or her choice, attend the grievance conference.

At **Department Step 2** of the grievance procedure, if employee is not satisfied with the Step 1 Answer, the employee may appeal the Step 1 Answer to the Human Resources (HR) Division, using form CS-100, within 14 calendar days of Step 1 Answer. Within 28 calendar days of the date of appeal to Step 2, the Step 2 Official must hold an oral conference with the employee and his or her representative **and** issue a written answer on form CS-100. The employee may have a fellow employee or a representative of his or her choice attend the grievance conference.

If the employee is not satisfied with the Step 2 Answer, employee may appeal to Step 3 of the **Civil Service** grievance procedure within 28 calendar days of receiving the Step 2 answer. Employees who are grieving for one of the following reasons may not appeal beyond Department Step 2:

- Probationary service ratings
- Probationary dismissals unless employee presents evidence of discrimination
- Counseling memos or written reprimands.

An employee has the option of requesting an **alternate Civil Service Step 3** (election of arbitration) by submitting written notice of election of arbitration to Civil Service within 15 weekdays of receiving Step 3 decision. However, the employee must assume one-half of all costs of arbitration.

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For further information, obtain and read Civil Service grievance and appeals procedure regulation 8.01 and form CS-100, available in HR. Contract-covered employees should refer to their collective bargained agreements.

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